GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Forest Department - Disciplinary proceedings initiated against **Sri W.Radha Krishna**, Dy.Range Officer (Retd.) earlier worked as Forest Section Officer, Honkaram Section of Bandi Atmakur Range of Nandyal (WL) Division under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Inquiry conducted – Imposition of penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy.R.O. (Retd.) - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.23 **Dated 22.05.2024.**

Read the following:-

1. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Rc.No.37334/2003/A&DC-1, dated 13.07.2017.
2. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Rc.No.37334/2003/A&DC-1, dated 14.03.2018.
3. From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter No.37734/2004/A&DC-3(i), dated 30.03.2022.
4. Govt. Memo. No.3090/Sec.IV/2017, E.F.S. & T. (Sec.IV) Department, dated 04.08.2023.
5. Explanation of the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.) dated 08.12.2023 received through letter Ref.No.37734/2004/A&DC-3, dated 31.01.2024 of Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.
6. Govt. Letter No.3090/Sec.IV/A2/2017, E.F.S. & T. (Sec.IV) Department, dated 05.03.2024.
7. From the Secretary, A.P.Public Service Commission, Vijayawada, File No.GAD03-APPS0dcc/13/2024-DC.SEC-APPSC (Computer No.2396961), dated 09.05.2024.

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ORDER:

In the letter 3rd read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur has stated that the Divisional Forest Officer, Nandyal (WL) has initiated disciplinary proceedings by issuing Articles of Charges against Sri W. Radha Krishna, Forest Section Officer, Honkaram Section of Bandi Atmakur Range of Nandyal (WL) Division under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, vide Rc.No.240/2005/A2/(2) dated 16.02.2005 on the following counts:-

ARTICLE-I:	"Gross neglect of duty without execution of works and booking the irregular expenditure of Rs.5,89,897/- or as may be assessed during the course of enquiry of this Article of Charge and misappropriating the same".
ARTICLE-II:	"Illegally collected Rs.3/- Per Bamboo instead of Rs.2/- Per Bamboo in Singavaram and Ernapadu V.S.S".

2. After following the due procedure in terms of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, the disciplinary case was finalized by the Principal Chief Conservator of Forests & Head of Forest Force, A.P., by awarding a punishment of "Reduction to basic minimum for a period of three years and the punishment will have effect to postponing the increments and also recovery of an amount of Rs.4,82,617/- in Proc.No.37734/2004/K1-K3(ii), dt:28.05.2010.

3. The individual has preferred an appeal petition, dated 19.11.2010 before the Government and also approached the Hon'ble APAT., Hyderabad by way of filing O.A.No.4268/2015 and the Hon'ble APAT has disposed the said OA in its order dated 20.01.2017.

P.T.O.

4. As per the Hon'ble APAT orders dated 20.01.2017 in O.A.No.4268/2015, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur appointed the Conservator of Forests, Kurnool and Divisional Forest Officer, Nandyal as Common Inquiry Officer and Presenting Officer respectively, to conduct inquiry, vide Proc.No.37734/2004/Vig-1(i) & (ii), dated 30.06.2018 under Rule 24 of the A.P.Civil Services (Classification, Control & Appeal) Rules 1991.

5. The Inquiry Officer has submitted his Common Inquiry findings along with connected case record in the Rc.No.5894/2004/M1, dated 07.01.2022, wherein the Inquiry Officer has concluded that the Charges I & II were held proved in the inquiry.

6. The findings of the Inquiry Officer was communicated to the Charged Officer in the Ref.No.37734/2004/A&DC-3(ii) dated 28.01.2022 for submission of his further defense statement. The Charged Officer acknowledged the receipt of the Final Notice on 02.02.2022 and submitted his further defense statement which was received on 15.02.2022, in which he did not furnish any valid grounds to consider his further defense statement.

7. Since the Charged Officer has retired from Government Service on attaining the age of superannuation on 30.06.2017, Government, being the competent authority, have continued the disciplinary case, under Rule (9) of Andhra Pradesh Revised Pension Rules, 1980.

8. As per check slip information, the total Financial loss involved in this case is Rs.5,89,897/- + Rs.99,333/- = Rs.6,89,230/- which is equally apportioned among two Charged Officers as shown below:-

1) Sri S. Vali Basha, FRO(Retd.):Rs.3,44,615/-.
2) Sri W. Radha Krishna, Dy.RO(Retd.): Rs.3,44,615/-.

9. The findings of the Inquiry Officer have been examined and in the reference 4th read above, a show cause notice has been issued to the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.) duly indicating the quantum of punishment to be imposed against him i.e., "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code, since the charges of misappropriation of funds against him were held proved.

10. In the reference 5th read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri has furnished the dated acknowledgement of show cause notice on 08.12.2023. The Charged Officer Sri W.Radha Krishna, Dy.Range Officer in his explanation has requested among other things, to consider his explanation and drop further action against him.

11. The explanation of the Charged Officer has been examined in detail and observed that the individual has not put-forth any valid points to consider his explanation. Accordingly, it has been provisionally decided to impose a punishment of withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy. Range Officer (Retd.), since the charges of misappropriation of funds against him were held proved.

12. In the reference 6th read above, the Secretary, A.P.Public Service Commission, Vijayawada has been requested to obtain and communicate the concurrence of the Commission on the Government proposal i.e., "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.), since the charges of misappropriation of funds against him were held proved.

13. In the reference 7th read above, the Secretary, A.P.Public Service Commission, Vijayawada has informed that the Commission agreed with the proposal of the Government to impose the penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.).

(Contd.P-3)

14. After careful examination of the entire matter, it has been decided to impose a penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.), earlier worked as Forest Section Officer, Honkaram Section of Bandi Atmakur Range of Nandyal (WL) Division, since the charges of misappropriation of funds against him were held proved, under Rule 9 of A.P.Revised Pension Rules, 1980.

15. Accordingly, Government hereby order to impose a penalty of "Withholding of entire pension besides recovery of Rs.3,44,615/- towards the loss sustained to the Government as per clause 4(d) of Article 300 of the A.P.Financial Code against the Charged Officer Sri W.Radha Krishna, Dy.Range Officer (Retd.), earlier worked as Forest Section Officer, Honkaram Section of Bandi Atmakur Range of Nandyal (WL) Division, since the charges of misappropriation of funds against him were held proved, under Rule 9 of A.P.Revised Pension Rules, 1980.

16. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri W.Radha Krishna, Dy. Range Officer (Retd.), earlier worked as
Forest Section Officer, Honkaram Section of Bandi Atmakur
Range of Nandyal (WL) Division through the Principal Chief Conservator of
Forests & Head of Forest Force, A.P., Mangalagiri.
The Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Secretary to A.P. Vigilance Commission.
SF/SCs (Computer No.267939).

//FORWARDED:: BY ORDER //

SECTION OFFICER